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c 399 Trees Act

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CHAPTER 399

The Trees Act

TREES ON BOUNDARY LINES

1. An owner of land may with the consent of the owner of adjoining land, plant trees on the boundary between such lands, and every tree so planted shall be the common property of the owners. R.S.O. 1937, c. 292, s. 1. Trees on boundary lines.

2. Every person who ties or fastens any animal to or injures or destroys any tree growing for the purposes of shade or ornament upon a boundary line between lands, or who suffers or permits any animal in his charge to injure or destroy or who trims, cuts down or removes any such tree without the consent of the owners thereof, shall be guilty of an offence and on summary conviction shall be liable to a penalty of not more than \$25. R.S.O. 1937, c. 292, s. 2. Penalty for injuring trees.

TREES CONSERVATION

3. Subject to the approval of the Minister of Lands and Forests, the council of a county, and in a territorial district the council of a township, may pass by-laws, By-law restricting cutting of trees.

- (a) restricting and regulating the cutting of trees in any part of the county or township; and
- (b) providing for the appointment of officers to enforce the provisions of any by-law passed under this section. 1946, c. 102, s. 1.

4. A by-law passed under section 3 shall not, Exceptions.

- (a) interfere with the right of a person who has been the registered owner of land for at least two years to cut trees thereon for his own use;
- (b) interfere with any rights or powers conferred upon a municipality by *The Municipal Act*;
- (c) interfere with any rights or powers of The Hydro-Electric Power Commission of Ontario or of any other board or commission which is performing its functions for or on behalf of the Government of Ontario;

Rev. Stat.,
c. 243.

- (d) apply to trees growing upon any highway or upon any opened road allowance; or
- (e) apply to trees growing in a woodlot having an area not exceeding two acres. 1946, c. 102, s. 2; 1947, c. 101, s. 18.

Penalty.

5. Every person who violates the provisions of any by-law passed pursuant to section 3 shall be guilty of an offence and on summary conviction shall be liable to a penalty of not more than \$500 or to imprisonment for a term of not more than three months. 1946, c. 102, ss. 3, 4.

MUNICIPAL REFORESTATION

County
by-laws for
acquiring
lands for
reforestation
purposes.

6. The council of any county may pass by-laws,

- (a) for acquiring by purchase, lease or otherwise such land designated in the by-law as the council may deem suitable for reforestation purposes;
- (b) for planting land so acquired and for preserving and protecting the timber thereon;
- (c) for the management of such land and the sale or other disposal of the timber grown thereon;
- (d) for the issuing of debentures from time to time for the purpose of providing for the purchase of such land to an amount not exceeding \$25,000 to be owing at any one time;
- (e) for entering into agreements for developing, protecting, caring for and managing such land or any portion thereof;
- (f) for leasing, selling or otherwise disposing of such land or any portion thereof. R.S.O. 1937, c. 323, s. 1.

Powers of
township
councils.

7.—(1) The council of any township shall have all the powers, privileges and authority conferred by clauses *a*, *b*, *c*, *e* and *f* of section 6 on the council of a county. R.S.O. 1937, c. 323, s. 3 (1); 1945, c. 14, s. 2; 1946, c. 62, s. 1 (1).

Idem.

(2) The council of any township shall have power and authority to levy by special rate a sum not exceeding \$1,000 in any year for the purpose of providing for the purchase of such land. R.S.O. 1937, c. 323, s. 3 (2); 1946, c. 62, s. 1 (2).

Agreements
as to re-
forestation
areas.

8.—(1) The council of any township may enter into agreements with the owners of lands located in the township providing for,

- (a) the reforestation of portions of such lands;
- (b) the entry and planting of trees upon such portions by the servants or agents of the council; and
- (c) the fencing of such portions and conservation of all growing trees thereon by the owner.

(2) No such agreement shall provide for the reforestation ^{Acreage.} of less than five acres of land for every one hundred acres belonging to the same owner.

(3) Every such agreement shall prescribe the conditions ^{Cutting.} under which the cutting of timber upon such portions may be carried out and such conditions shall be subject to the approval of the Minister of Lands and Forests.

(4) The council of the township may exempt any such ^{Exemption from} portion from general taxation as long as it continues to be ^{taxation.} used for the purposes set out in the agreement.

(5) The council of the township may enter into agreements ^{Agreements with} with the Minister of Labour for Canada and the Minister of ^{Ministers of} Labour for Ontario regulating the conditions of labour and ^{labour.} the payment of wages in respect of labour performed in connection with the planting and conservation of trees in such portions. 1939, c. 11, s. 1.

9. No by-law shall be finally passed under section 6, 7 or 8 ^{Approval of by-law} until approved in writing by the Minister of Lands and ^{by Minister.} Forests. R.S.O. 1937, c. 323, s. 2.
